IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 23341 of 2007(D)

PETITIONER:

T.JALAJA KUMARI, W/O. NARAYANAN,
AGED 45 YEARS, ASSISTANT TEACHER,
PUZHATHI CENTRAL U.P.SCHOOL, P.O.CHIRAKKAL,
KANNUR DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT ANNEX, TRIVANDRUM.

3. THE ASSISTANT EDUCATIONAL OFFICER,
PAPPINISSERI P.O., PAPPINISSERI,
KANNUR DISTRICT.

4. THE HEADMASTER,
PUZHATHI CENTRAL U.P. SCHOOL, P.O.CHIRAKKAL,
KANNUR DISTRICT.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 23341 OF 2007

Dated this the 31st day of July, 2007

J U D G M E N T

Petitioner claims that she was initially appointed as Assistant Teacher in an Aided Upper Primary School with effect from November 1, 1985. She was terminated on March 31, 1986. Later, she was re-appointed as Assistant Teacher with effect from June 2, 1986 till August 22, 1986. According to the petitioner, she was sanctioned Higher Grade with effect from January 1, 1996. Her senior grade fell due on June 1, 2004 and date of increment was due on July 1, 2004. But, while exercising option she had chosen January 1, 2004 as the due date. In fact it would have been more advantageous to her, if she got the increment from July 1, 2004.

2. Anyhow, I do not propose to deal with the merit of the above contention at this stage in view of the limited prayer made by learned counsel for the petitioner at the Bar. He submits that petitioner has preferred Ext.P1 representation before the Government highlighting all the relevant aspects of the issue. The limited prayer in this writ petition is to issue a direction to respondent No.1 to take a decision

on Ext.P1 expeditiously.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P1 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within four months from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner is afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007